

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARK PAGE,

Plaintiff,

vs.

CAPTAIN RANKIN, CAPTAIN
ERVING AND SERGEANT SHARP,

Defendants.

No. C 08-3026 JSW (PR)

ORDER OF DISMISSAL

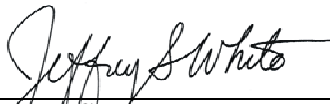
On May 19, 2008, Plaintiff filed a *pro se* civil rights action in the United States District Court for the Eastern District of California, which was transferred to this Court on June 20, 2006. On March 13, 2009, this Court dismissed the complaint with leave to amend to state a cognizable claim for relief within thirty days of the Court's order. In the Court's order, Plaintiff was notified that failure to amend by the designated time would result in a dismissal of the case. Petitioner's motion to proceed *in forma pauperis* was also DENIED without prejudice to filing a properly supported motion within thirty day's of the Court's order.

More than thirty days have passed since March 13, 2009 and Plaintiff has not responded to the Court's order. Accordingly, this case is DISMISSED without prejudice for failure to prosecute and to comply with a court order pursuant to Federal Rule of Civil Procedure 41(b). *See Link v. Wabash R.R.*, 370 U.S. 626, 633 (1962); *McKeever v. Block*,

1 932 F.2d 795, 797 (9th Cir. 1991). The Clerk shall close the file and enter judgment in
2 this matter. The Clerk shall close the file and enter judgment in this matter.

3 IT IS SO ORDERED.

4 DATED: April 24, 2009

5 
6 JEFFREY S. WHITE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MARK PAGE,

Plaintiff,

v.

RANKIN et al,

Defendant.

Case Number: CV08-03026 JSW


CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 24, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Mark Page J 65357
Lancaster
44750 60th Street West
Lancaster, CA 93536

Dated: April 24, 2009


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk